

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

ARTHUR J. WILLIAMS JR.,

Plaintiff,

v.

**CREDIT PROTECTION ASSOCIATION
TRANS UNION, LLC., et al.,**

Defendants.

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Civil Action No. **3:09-CV-1146-L**

ORDER


Before the court is Defendant Experian Information Solutions, Inc.’s Motion to Dismiss, filed July 16, 2009 (the “Motion”). Pursuant to its August 25, 2009 order, the court referred the Motion to United States Magistrate Judge Irma C. Ramirez. On October 12, 2009, the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”) was filed. Plaintiff filed no objections to the Report.

This action arises out of two alleged violations of the Fair Consumer Reporting Act, 15 U.S.C. § 1681 (“FCRA”). Plaintiff claims that Defendant Experian Information Solutions, Inc. violated the FCRA by failing to conduct a reasonable investigation of Plaintiff’s disputes and failing to adopt reasonable procedures to assure maximum possible accuracy of Plaintiff’s consumer credit when he submitted a request for credit reports. Plaintiff seeks damages, costs, attorney’s fees, and injunctive relief. After a careful analysis, the magistrate judge determined that Plaintiff had made claims under the FCRA that were plausible on their face for recovery of damages; however, the magistrate judge determined that the FCRA does not entitle Plaintiff to injunctive relief. Accordingly, the magistrate judge recommends that Defendant Experian Information Solutions,

Inc's Motion to Dismiss be denied to the extent that it would dispose of Plaintiff's FCRA claims for damages, and should be granted to the extent that it denies Plaintiff's claim for injunctive relief.

Having reviewed the Motion, file, record, and Report in this case, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court, and the court therefore **grants in part** Defendant Experian Information Solutions, Inc's Motion to Dismiss to the extent that it seeks dismissal of Plaintiff's claim for injunctive relief. The Motion is **denied** in all other respects.

It is so ordered this 2nd day of November, 2009.


Sam A. Lindsay
United States District Judge